

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDSEY L. BIXBY,

Defendant.

8:20-CR-241

ORDER

This matter is before the Court on Lindsey Smith's Motion to Quash, Modify or for a Protective Order. [Filing 87](#). Lindsey Smith has been subpoenaed to testify in the present case, asks the Court to permit her to testify via Zoom, and requests the ability to review a copy of her previous statement made to the Nebraska State Patrol prior to testifying in this matter. [Filing 87](#). The Court granted the defendant's motion, [Filing 86](#), and Ms. Smith's motion to permit her to testify via Zoom, [Filing 87](#), on the record on November 2, 2021. Accordingly,

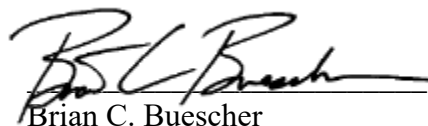
IT IS ORDERED:

1. Lindsey Smith's Motion to Quash, Modify or for a Protective Order, [Filing 87](#), is granted as follows;
2. Lindsey Smith will be permitted to testify via video conferencing using the Zoom service on the afternoon of November 3, 2021, or on November 4, 2021, as called by the defense;
3. Lindsey Smith must be available to testify via Zoom on Wednesday, November 3, 2021, at any time between 1:00 pm CDT until 5:00 pm CDT; and on Thursday, November 4, 2021, from 9:00 am CDT until 5:00 pm CDT, or until released from her subpoena;

4. Lindsey Smith must provide defense counsel with a telephone number or contact information such that Ms. Smith can be contacted and then immediately get in front of a computer or device capable of providing testimony via Zoom within 20 minutes of being contacted;
5. The defense shall keep Lindsey Smith updated on the likely timing of her testimony during the dates and times outlined above as the trial proceeds in order for Ms. Smith to better prepare to be available;
6. The defense shall provide Lindsey Smith or her legal counsel with the statement she gave to the Nebraska State Patrol, dated May 19, 2016, no later than 9:00 am on November 3, 2021; and
7. The defense shall coordinate with the Court's Courtroom Deputy and shall be responsible for communicating any needed instruction or coordination, such as providing a link to these proceedings, to Lindsey Smith ahead of her testimony.

Dated this 2nd day of November, 2021.

BY THE COURT:


Brian C. Buescher
United States District Judge